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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

SEAN THOMAS NEEDHAM,

Defendant and Appellant.

A156636

(Solano County
Super. Ct. No. FCR305791)

Defendant Sean Needham appeals from a postjudgment order modifying an award of victim restitution. His counsel has asked this court for an independent review of the record to determine whether there are any arguable issues. (*People v. Wende* (1979) 25 Cal.3d 436.) Needham was informed of his right to file a supplemental brief and did not do so. We conclude that he is not entitled to *Wende* review and dismiss the appeal.

This is the second time we have been asked to perform a *Wende* review on Needham's behalf. Needham previously appealed from the judgment, and we affirmed after concluding that there were no arguable issues. (*People v. Needham* (July 27, 2016, A147199) [nonpub. opn.].) As set forth in more detail in our prior opinion, over several months in 2013 and 2014 Needham repeatedly and viciously attacked a woman he kept confined in his house in Vacaville. He was charged with twenty felony counts and various accompanying enhancement allegations and pleaded no contest to nine of the charges. In October 2015, he was sentenced to 18 years and four months in prison. The court ordered \$6,541 paid to the Victim Compensation Board while reserving jurisdiction over further restitution.

In June 2018, the People filed a motion to modify the restitution order. They sought to increase the order by \$1,134.94, the amount of additional benefits the Victim Compensation Board had since paid to the victim. At a hearing in January 2019, the trial court granted the motion and modified the restitution order as requested, to award a total of \$7,675.94 to the Board.

We conclude that *Wende* review is unavailable to Needham in this appeal. (See *People v. Serrano* (2012) 211 Cal.App.4th 496, 503 [criminal defendants afforded *Wende* review only in “first appeal of right” from conviction].) Needham’s counsel did not discover any arguable issues to be raised on appeal, and Needham did not file a supplemental brief after his counsel informed him he had the right to do so. Consistent with *Serrano*, we therefore dismiss the appeal as abandoned. (See *id.* at pp. 503–504.)

The appeal is dismissed.

Humes, P.J.

WE CONCUR:

Margulies, J.

Banke, J.

People v. Needham A156636